

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**UNITED STATES OF AMERICA ex rel. HARVEY
BRODY, CATHERINE P. BURNS, ANITA K.
DOWSE, PATRICIA PAFUNDI, and JOSEPH
HAZARD,**

Plaintiffs,

v.

1:10-CV-887

COMPUTER SCIENCES CORPORATION,

Defendant.

ORDER

Before the Court is the Relators' motion to dismiss the instant *qui tam* action that alleged the submission of false Medicaid claims. See *dk.* # 51. Counsel for the Relators had earlier moved to dismiss the Complaint, averring that the Relators had no direct knowledge of the fraud alleged in the Complaint, but also admitted that Counsel had not contacted any of the Relators to determine whether they consented to dismissal of the action. See *dk.* # 37. The Court declined to grant the motion, and instead issued an Order to Show Cause directing Relators to show cause why the case should not be dismissed within forty-five days. See *dk.* # 40. The Court directed Relators' Counsel to serve the Order on Relators. Id.

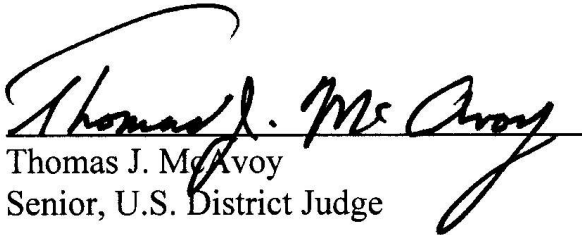
Relators Harvey Brody and Patricia Pafundi signed a stipulation dismissing their claims without prejudice, which the Court adopted. See *dk.* # 54. Relators Anita K. Dowse and Catherine P. Burns were served with the Order to Show Cause on January 3, 2015. See *dk.* # 41. Relator Joseph Hazard was served with the Order to Show Cause

and Motion to Dismiss on April 30, 2015. See dk. # 56. Relators Dowse, Burns and Hazard have not responded to the Order to Show Cause. The Government has informed the Court that the United States does not oppose the motion to dismiss as long as the motion is granted without prejudice. See dk. # 55.

Because none of the Relators have expressed a desire to continue with the action, the Court will grant the motion to dismiss, dk. # 51. The motion will be granted without prejudice.

SO ORDERED.

Dated: June 17 , 2015


Thomas J. McAvoy
Senior, U.S. District Judge